



Ref.: 48001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF

Group Art Unit: 1617

BURANACHOKPAISAN

Examiner: Lauren Q. Wells

SER. NO: 10/021,210

FILED: December 12, 2001

FOR: LOW RESIDUE ANHYDROUS ANTIPERSPIRANT STICK COMPOSITION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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RESPONSE TO RESTRICTION REQUIREMENT

Claims 1-24 are presently pending in the application.

In an Office Action mailed May 14, 2003 the Examiner set forth a restriction requirement pursuant to 35 U.S.C. 121, requiring the applicant to elect as between:


- I. Claims 1-23, drawn to an antiperspirant composition, classified in class 424, subclass 65.
- II. Claim 24 drawn to a method of making an antiperspirant composition, classified in class 514, subclass 953.

Applicant traverses this restriction requirement, as applicant disputes that the claimed process would find utility in a process for making lipsticks, as was suggested by the Examiner. However, applicant elects, with traverse, the claims of Group I, which are claims 1-23.

Regarding the requirement that for examination purposes only, applicant must elect a single disclosed a single specie of a volatile material, a non-volatile liquid emollient, a non-liquid organic ester emollient, an organic wax, a polyethelene homo or copolymer, an antiperspirant active agent, applicant hereby makes the following elections:

1. a volatile material—cyclopentasiloxane
2. non-volatile liquid emollient—an octyl isononanoate / PEG-8 Distearate / PPG-14 butyl ether / phenyl trimethicone blend
3. non-liquid organic ester emollient—isostearyl behenate
4. organic wax—a hydrogenated castor oil / stearyl alcohol blend
5. polyethelene homo or copolymer—Permalene 400, New Phase Technologies
6. antiperspirant active agent—aluminum zirconium tetra-chlorohydrate glycine

Respectfully Submitted



Stephen B. Shear
Reg. No. 28,116

Please address all correspondence to:

Stephen B. Shear
Church & Dwight Co., Inc.
469 North Harrison Street
Princeton, NJ 08543
Tel: 609.497.7415
Fax: 609.497.7179